

REMARKS

Claims 4-10, 12, 13 and 15-28 are pending in the present application. Applicant notes with appreciation the allowance of claims 12, 13 and 15-21. Applicant hereby submits a request for continued examination under 37 CFR § 1.114 with this accompanying Amendment. With entry of this Amendment, Applicant amends claims 5, 6 and 21-27 and cancels claims 4 and 28. Reexamination and reconsideration of the claims are respectfully requested.

The Examiner rejected claims 22-27 under 35 U.S.C. § 102(b) as being anticipated by Teaney (U.S. Patent No. 5,717,930). Claims 4, 5 and 22-28 were rejected under § 103(a) as being unpatentable over Kohler (U.S. Patent No. 6,140,568). The Examiner rejected claims 6-10 under § 103(a) as being unpatentable over Kohler in view of Humphrey et al. (U.S. Patent No. 3,894,186).

The present invention in one embodiment relates to sound signal analyzing devices. The device operates by extracting one or more characteristics of the sound signal – e.g., volume or pitch limits – and then uses the extracted characteristics to set parameters for subsequent analysis of sound signals. One feature of the present invention is that device can visually display the extracted characteristics and the set parameters. For example, Fig. 9 illustrates a level check screen with a level meter area 91 to indicate current sound volume and a level pointer 92 to indicate a maximum sound volume level. Fig. 10 illustrates a pitch check screen with first and second pointers 101 and 102 indicating upper and lower pitch limits.

Claim 22 has been amended to recite “a display section that visually displays a current value of the volume level and the threshold value determined by an extracted value of the volume level in accordance with a predetermined criterion.” Claim 6 has been amended to recite “a display section that visually displays a current value of a characteristic of the sound signal and a representative value determined by an extracted value of the characteristic in accordance with a predetermined criterion.” Claim 23 has been amended to recite “a display section that visually

displays the pitch limits characteristics.” Claims 4 and 28 have been canceled and claim 5 amended in view of the amendment to claims 22 and 23.

In contrast, Kohler discloses a keyboard 15 for inputting instructions from the user 21 to the user interface 16, and the user interface displays information to the user on the display monitor 17 (see Col. 10, lines 19-44). Thus, Kohler merely discloses displaying – via a general user interface – instructions and the like entered by the user on the keyboard. Kohler does not disclose displaying “a current value of the volume level and the threshold value” as recited in claim 22 and displaying “a current value of a characteristic of the sound signal and a representative value” as recited in claim 6. Nor does Kohler disclose displaying the “pitch limit characteristics” as recited in claim 23.

The remaining cited references – Humphrey and Teaney – also fail to disclose displaying the above recitations. Humphrey merely discloses lamps 42 to indicate notes (see, e.g., Col. 8, lines 11-55 and Fig. 4). It does not disclose displaying a current value of the volume level and a threshold value, a current value of a characteristic of the sound signal and a representative value or pitch limits characteristics. Teaney does not even disclose a visual display section. Accordingly, Applicant respectfully submits that independent claims 6, 22 and 23 – and their respective dependent claims – are not anticipated by or obvious in view of any of the cited references, either alone or in combination. Independent claims 24-27 have been manner in a similar manner as claims 22 and 23 and, therefore, are not anticipated by or obvious in view of the cited references.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If the Examiner feels that it would advance the prosecution of the application, it is respectfully requested that the Examiner telephone the undersigned attorney.

In the unlikely event that the transmittal letter is separated from this document and the

Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032009400. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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